

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	Criminal Action No.
v.	)	05-00151-03-CR-W-ODS
	)	
KESHA M. WILLIAMS	)	
Defendants.	)	

MEMORANDUM OF MATTERS DISCUSSED AND  
ACTION TAKEN AT PRETRIAL CONFERENCE

**PENDING CHARGE:** From on or about December 1, 2002, to on or about October 10, 2003, in Johnson County, in the Western District of Missouri, and elsewhere, defendants CHRISTOPHER W. NEWTON, ROBERT SCOTT NEWTON, and KESHA M. WILLIAMS did knowingly conspire, confederate, and agree with each other and with Patrick Holman, Duane L. Miller, and Richard J. Miller, co-conspirators not indicted herein, to distribute some amount of a mixture and substance containing a detectable amount of 3,4 methylenedioxy- methamphetamine (MDMA), also known as “ecstasy”, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C). All in violation of Title 21, United States Code, Section 846.

Note: The government has filed motions to dismiss both of the Newtons leaving only Kesha Williams for trial.

The following matters were discussed and action taken during the pretrial conference:

**TRIAL COUNSEL:**

Government: Joseph Marquez  
Case Agent: Special Agent Elizabeth Marshal of the DEA  
Defense: Melanie Morgan for defendant Kesha Williams

**OUTSTANDING MOTIONS:** Motion in Limine (doc. # 36) filed by defendant.

**TRIAL WITNESSES:**

Government: 12-15 witnesses with stipulations; 1 additional witness without stipulations  
Defendant: 3 witnesses, defendant may testify

**TRIAL EXHIBITS**

Government: 16-20 exhibits

Defendant: no exhibits

**DEFENSES:** Relying on the defenses of lack of knowledge of contraband and general denial.

**POSSIBLE DISPOSITION:**

(X) Definitely for trial; ( ) Possibly for trial; ( ) Likely a plea will be worked out

**TRIAL TIME: 3 days**

Government's case including jury selection: 2- 2 ½ days

Defense case: ½ day or less

**STIPULATIONS:** The parties will work out a stipulation as to the results of the chemist's drug testing.

**UNUSUAL QUESTIONS OF LAW:** (1) Defendant has filed a motion in limine raising three issues. (2) Defense counsel contends that any testimony about the countries that are drug manufacturing locations for Ecstasy is expert testimony that must be identified in accordance with the Scheduling Order. Government counsel disagrees that this constitutes expert testimony. Therefore, depending on the nature of the testimony presented, defense counsel may object at trial if expert testimony is presented without complying with the Court's Scheduling Order. (3) If the defense attempts to offer the results of voice analysis testing, government counsel will object.

**FILING DEADLINES:**

**Witness and Exhibit List** To be filed on Friday prior to the Pretrial Conference  
**Counsel are requested to list witnesses in alphabetical order on their witness list.**

**Exhibit Index, Voir Dire, Jury Instructions: Noon, Wednesday, November 23, 2005.**  
**Please Note:** Jury instructions must comply with Local Rule 51.1

**Motion in Limine: One filed by defendant.**

**TRIAL SETTING:** Criminal jury trial docket commencing November 28, 2005.

**Note: Both counsel prefer the second week of the docket.**

**IT IS SO ORDERED.**

\_\_\_\_\_/s/\_\_\_\_\_  
SARAH W. HAYS  
United States Magistrate Judge